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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	Diaz et al.	Examiner:	Lambertson, David
Serial No.:	09/864,486	Group Art Unit:	1636
Confirmation No.:	2985	Docket:	976-9
Filed:	May 24, 2001	Dated:	June 25, 2004
For:	DNA Fragments of the Methylotrophic <i>Pichia pastoris</i> Yeast ICL Gene		

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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20231 on June 25, 2004*

Dated: 6/25/04 / Deanna Bayer

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to a restriction requirement mailed June 1, 2004, Applicants submit the following:

The application has been restricted to one of the following inventions:

Group I. Claims 6-9, 11 and 13-26, drawn to an isolated/recombinant DNA fragment comprising SEQ ID NO:1 (including the combination of SEQ ID NO:1 and SEQ ID NO:2), a vector/construct comprising said fragment, a host cell comprising said vector, and a method of regulating heterologous gene expression using the promoter identified as SEQ ID NO:1; and


Group II. Claims 6-8, 10, 12-14 and 16-24, drawn to an isolated/recombinant DNA fragment comprising SEQ ID NO:2 (including the combination of SEQ ID NO:2 and SEQ ID NO:1), a vector/construct comprising said DNA fragment, a host cell comprising said vector/construct.

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In response, Applicants elect Group I - Claims 6-9, 11 and 13-26, drawn to an isolated/recombinant DNA fragment comprising SEQ ID NO:1 (including the combination of SEQ ID NO:1 and SEQ ID NO:2), a vector/construct comprising said fragment, a host cell comprising said vector, and a method of regulating heterologous gene expression using the promoter identified as SEQ ID NO:1.

It is now believed that the application is in condition for examination on the merits. Should the Examiner determine that unresolved issues remain, he is cordially invited to contact Applicant's undersigned attorney at the number provided below.

Respectfully submitted,



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